United Nations A/C.6/53/SR.30

General Assembly
Fifty-third session

Official Records

Distr.: General
25 November 1998

Original: English

Sixth Committee

Summary record of the 30th meeting
Held at Headquarters, New York, on Monday, 16 November 1998, at 10 a.m.

Chairman: Mr. Enkhsaikhan ..... (Mongolia)

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98-82385 (E)

The meeting was called to order at 10.15 a.m.

Agenda item 147: Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (A/53/276 and Corr.1, A/C.6/53/L.11)

1. **Mr. Tejeira** (Panama), speaking on behalf of the Rio Group, said that the item under consideration was a very timely one, particularly in view of the recent attacks on diplomatic missions in several parts of the world. The member States of the Rio Group condemned those attacks as well as all acts of violence against diplomatic and consular missions and representatives, wherever and by whomever they might be perpetrated. Several international instruments on the protection of diplomatic and consular representatives and missions were already in force, and international law included principles and norms in that regard. States must meet the obligations they had undertaken. The purpose of diplomatic privileges and immunities was to enable diplomatic and consular representatives to perform their duties effectively and without hindrance. They, in turn, must refrain from abusing their privileges and immunities and must strictly obey the laws of the receiving State.

2. **Mr. Eliassen** (Norway), speaking on behalf of the five Nordic countries, recalled that those countries had proposed the inclusion of the item under consideration in the agenda of the General Assembly 18 years before. The protection of representatives of States was a necessary component of the system of international communication and cooperation. Whereas sending States were entitled to the best possible protection of their representatives, those representatives had the duty to respect the laws and regulations of the receiving States.

3. The Nordic countries were deeply concerned by recent incidents, including the bombing of the United States embassies in Kenya and the United Republic of Tanzania and the murder of Iranian consular personnel in Afghanistan. They strongly condemned those and other acts of violence against diplomatic and consular representatives, as well as against representatives and officials of intergovernmental organizations.

4. The Nordic countries wished to emphasize once again the need for close cooperation between sending and receiving States in protecting diplomatic and consular missions and their personnel. Furthermore, they appealed to all States that had not yet done so to become parties to the relevant international legal instruments. The Nordic countries would like once more to draw the attention of delegations to the procedures for reporting violations of the protection of diplomatic and consular premises and personnel, the guidelines for which were contained in the relevant General Assembly resolutions.

5. **Mr. Herndl** (Austria), speaking on behalf of the European Union, the associated countries Cyprus, the Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, and, in addition, Iceland and Liechtenstein, said that the topic under consideration not only addressed the effective conduct of diplomatic and consular relations, but was also relevant to relations between States in general. The privileges and immunities of diplomatic and consular missions and personnel were not intended for personal benefit, but were granted to ensure that diplomatic and consular functions could be exercised without hindrance so as to facilitate normal exchanges between States over a wide range of subjects. The European Union was committed to upholding the obligation to guarantee in practice the privileges and immunities recognized in general international law and provided for in international agreements. It welcomed further efforts, particularly through international cooperation, to ensure that the right to adequate protection, security and safety, as well as the other rights and immunities were in fact enjoyed.

6. Paragraph 3 of General Assembly resolution 51/156 was a reminder to all Governments of their binding obligation to provide adequate protection to foreign missions and representatives. While the report of the Secretary-General (A/53/276 and Corr.1) listed only one serious incident reported by a Government, that did not necessarily mean that the overall situation worldwide had improved. In fact, the number and gravity of violent incidents involving foreign diplomatic personnel and premises had increased, taking a growing toll of human lives. The barbaric bombing of the United States embassies in Kenya and the United Republic of Tanzania and the cold-blooded murder of Iranian diplomats in Afghanistan were a vivid reminder of a deteriorating situation. He would like, on behalf of the European Union, to convey condolences to the families of those who had died and to those who had been injured as a result of such heinous activities directed against the personnel of diplomatic and consular missions. In that connection, he wished to express the appreciation and support of the European Union to the Governments concerned for their efforts to bring the perpetrators to justice.

7. He wished to refer to the useful tables on ratification of and accession or succession to the relevant multilateral agreements contained in the report of the Secretary-General.

The European Union had taken note with interest of that information, which showed that the main conventions were experiencing a fairly high degree of ratification. However, as universal acceptance of the rules contained in those instruments was the common goal of the international community, the European Union hoped that more States would become parties to them. In that respect, the European Union was of the view that accession to and observance of the provisions of those instruments by the international community should lead to significant improvements in the safety of diplomatic premises and, more importantly, in the safety of human beings, mainly diplomatic and consular personnel and their families.

8. **Ms. Baykal** (Turkey) said that her Government condemned the attacks against the United States embassies in Kenya and the United Republic of Tanzania as well as the killing of Iranian diplomats and United Nations officials in Afghanistan in the area under Taliban control. Turkey had been one of the sponsors of Security Council resolution 1193 (1998) condemning those attacks in Afghanistan.

9. A number of Turkish diplomatic and consular missions and representatives had been victims of terrorism, and many ranking diplomats, including ambassadors, had lost their lives to vicious attacks by terrorist organizations in certain countries. In the past two years, attacks against Turkish diplomatic and consular missions had continued; that showed that the protection provided by some States to Turkish missions and representatives was inadequate and was not commensurate with the threat posed by terrorism. She pointed out that under General Assembly resolution 42/154, States in which violations of the protection, security and safety of diplomatic and consular missions and representatives occurred had the obligation to report to the Secretary-General as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender and to report on measures adopted with a view to preventing a repetition of such violations. Whenever Turkey had been a victim of such attacks or whenever an attack had occurred in its territory, her Government had always reported the incident to the Secretary-General; however, it usually had not received a satisfactory reply from the State where the violation had taken place. All States must take very seriously the obligations they had undertaken not only under General Assembly resolutions, but also under international law, particularly the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. Turkey was a party to all those instruments and fully abided by their provisions. Apart from their legal obligations, States were required to protect diplomatic and consular missions and representatives in their territory for the maintenance of normal and peaceful international relations, which were necessary for cooperation among States. Her delegation appealed to all States parties of the aforementioned conventions to adopt all necessary measures to protect the safety and security of the diplomatic and consular missions in their territories. Moreover, in order to combat successfully violent acts of terrorism against diplomatic and consular missions and representatives, all States should refrain from treating such cowardly acts selectively on the basis of narrow policy considerations.

10. **Mr. Hosseinian** (Islamic Republic of Iran) said that the inviolability of the premises of diplomatic and consular missions and their representatives was a generally accepted principle of international law which had been observed for centuries in relations among nations. That principle was established in the two Vienna Conventions on diplomatic and consular relations of 1961 and 1963 and in the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, as well as in several General Assembly resolutions.

11. On 8 August 1998, the Taliban forces, continuing their military campaign in Afghanistan, had attacked the city of Mazar-e-Sharif, shot their way into the premises of the Consulate-General of the Islamic Republic of Iran, seized the premises and murdered all members of the Consulate staff and a journalist who was present on the scene. That barbaric action had been condemned by every Government throughout the world and by the Secretary-General of the United Nations as a blatant violation of fundamental principles and norms of international law. The Security Council had also condemned the seizure of the Iranian Consulate-General in Mazar-e-Sharif and the massacre of Iranian diplomats and the journalist as a heinous crime violating international norms and principles. Furthermore, Taliban forces had attacked and destroyed the Consulate-General of the Islamic Republic of Iran in Bamian in mid-September. Taliban leaders had yet to heed the demand of the international community and the call by the Security Council to apprehend the perpetrators of those outrageous crimes, with a view to bringing them to justice.

12. The premises of the Iranian Consulate-General in Mazar-e-Sharif was still occupied by Taliban forces, and there was no information on their condition. Iran held the Taliban leadership fully responsible for the seizure of its Consulate-General, the massacre of its diplomats and the

damage caused to its property. His Government expected the Secretary-General and the Security Council to expedite the dispatch of an international mission of inquiry to Afghanistan with a view to taking appropriate measures for bringing the perpetrators to justice.

13. Similarly, Iran condemned all acts of violence against diplomatic and consular missions and representatives as well as against the personnel of international organizations, wherever and by whomever they were committed, including the bombing of diplomatic missions in Kenya and the United Republic of Tanzania and the killing of United Nations personnel in Afghanistan.

14. It was clear that acts of violence against diplomatic and consular missions and representatives continued to be a major threat to the normal conduct of relations among nations. There was every reason for the item to remain on the agenda of the General Assembly. States should continue to report to the Secretary-General acts of violence against diplomatic and consular missions as required by General Assembly resolution 42/154.

15. **Mrs. Lehtu** (Finland) introduced draft resolution A/C.6/53/L.11, which reflected the commitment of Member States to prevent violations of the security and safety of diplomatic missions and representatives. It was based on the relevant resolutions adopted over the years by the General Assembly on the agenda item under consideration. Most of the draft resolution followed the language of resolution 51/156, reflecting in general terms the continued concern of Member States at the occurrence of violations. Current events had also been taken into account in the formulation of the resolution. The new elements, which were to be found in the fifth and sixth preambular paragraphs and in operative paragraphs 3 and 5, reflected the recent acts of violence against members of the diplomatic community. The sponsors hoped that the draft resolution, which addressed an issue of great importance to all Governments, would be adopted without a vote.

The meeting rose at 10.55 a.m.